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In re Application of CHOI :
U.S. Application No.: 10/538,078 :
PCT Application No.: PCT/KR03/02683 :
Int. Filing Date: 08 December 2003 : COMMUNICATION
Priority Date Claimed: 10 December 2002 :
Attorney Docket No.: 3449-0500PUS1 :
For: LED AND FABRICATION METHOD :
THEREOF :

This application is before the Office of PCT Legal Administration for consideration of issues arising under 35 U.S.C. 371.

BACKGROUND

On 08 December 2003, applicant filed international application PCT/KR03/02683, which claimed priority of an earlier Korea application filed 10 December 2002. A copy of the international application was communicated to the USPTO from the International Bureau on 24 June 2004. The thirty-month period for paying the basic national fee in the United States expired on 10 June 2005.

On 09 June 2005, applicant filed two sets of national stage papers in the United States Designated/Elected Office (DO/EO/US). The submission was accompanied by, *inter alia*, the basic national fee required by 35 U.S.C. 371(c)(1). The first set of national stage papers was assigned U.S. Application Number 10/538,078, and the second set of national stage papers was assigned U.S. Application Number 10/538,496.

DISCUSSION

The end result for an international application designating the United States is a single U.S. national stage application. Therefore, the existence of two U.S. national stage applications for a single international application would be improper. The papers contained in the U.S. Application Number 10/538,496 file will be merged with the papers in the U.S. Application

Number 10/538,078 file, and the serialization of U.S. Application Number 10/538,496 will be vacated.

CONCLUSION

The application has an International Filing Date under 35 U.S.C. 363 of 08 December 2003, and a date under 35 U.S.C. 371(c) of 09 June 2005.

This application is being forwarded to the United States Designated/Elected Office (DO/EO/US) for further processing in accordance with this decision.



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